

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

George F. Lloyd, Jr.,)	C/A No. 5:14-cv-04446-BHH-KDW
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
Williamsburg Detention Center;)	
Williamsburg County Detention Center;)	
Ms. Pressley;)	
Cpl. McClary;)	
Nurse Heather,)	
)	
Defendants.)	
)	

This case is before the court because of Plaintiff's failure to comply with the magistrate judge's Order of January 20, 2015. ECF No. 20.

A review of the record indicates that the magistrate judge ordered Plaintiff to submit, within twenty-one days, a properly completed summons form including the proper names and addresses for all intended Defendants, which was needed to render this case into proper form. Plaintiff was specifically informed that this would be his final opportunity to bring the case into proper form and if he failed to provide the completed form as directed, this case would be dismissed *without prejudice*. The court has not received any response from Plaintiff and the time for his compliance has passed. The mail in which the Order was sent to Plaintiff at the address most recently provided by Plaintiff has not been returned to the court, thus it is presumed that Plaintiff received the Order, but has neglected to comply with it within the time permitted under the Order.

Plaintiff's lack of response to the Order indicates intent to not continue prosecuting this

case and subjects this case to dismissal. *See Fed. R. Civ. P. 41(b)* (district courts may dismiss an action if a Plaintiff fails to comply with “any order of the court.”); *see also Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989) (dismissal with prejudice appropriate where warning given); *Chandler Leasing Corp. v. Lopez*, 669 F.2d 919, 920 (4th Cir. 1982) (court may dismiss *sua sponte*).

Accordingly, this case is dismissed *without prejudice*. The Clerk of Court shall close the file.¹

IT IS SO ORDERED.

February 25, 2015
Greenville, South Carolina

s/Bruce Howe Hendricks
Bruce Howe Hendricks
United States District Judge

¹ Under General Order, Misc. No. 3:07-5014-JFA, this dismissal *without prejudice* does not count as a “strike” for purposes of the “three strikes” provision of 28 U.S.C. § 1915(g). If Plaintiff wishes to bring this action in the future, he should obtain new forms for doing so from the Clerk’s Office in Columbia (**901 Richland Street, Columbia, South Carolina 29201**).

NOTICE OF RIGHT TO APPEAL

The parties are hereby notified of the right to appeal this Order within the time period set forth under Rules 3 and 4 of the Federal Rules of Appellate Procedure.
